UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No. 3:08-cr-142
DAVID C. KERNELL,) (Phillips))
Defendant.)
<u>ORDER</u>	
There being no timely objection by Defendant, see 28 U.S.C. § 636(b)(1), and the	
court being in complete agreement with	the magistrate judge, the Report and
Recommendation ("R&R") [Doc. 89] filed by the Honorable C. Clifford Shirley, United States	
Magistrate Judge, on November 20, 2009, is hereby ACCEPTED IN WHOLE, whereby	

Defendant's Motion to Dismiss for Failure to Establish Interstate Commerce Jurisdiction

ENTER:

[Doc. 45] is **DENIED**.

s/ Thomas W. Phillips United States District Judge